

**ZB# 02-21**

**John Meyer**

**58-1-32**

Prelim.

April 8, 2002

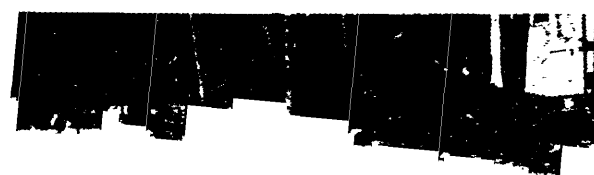
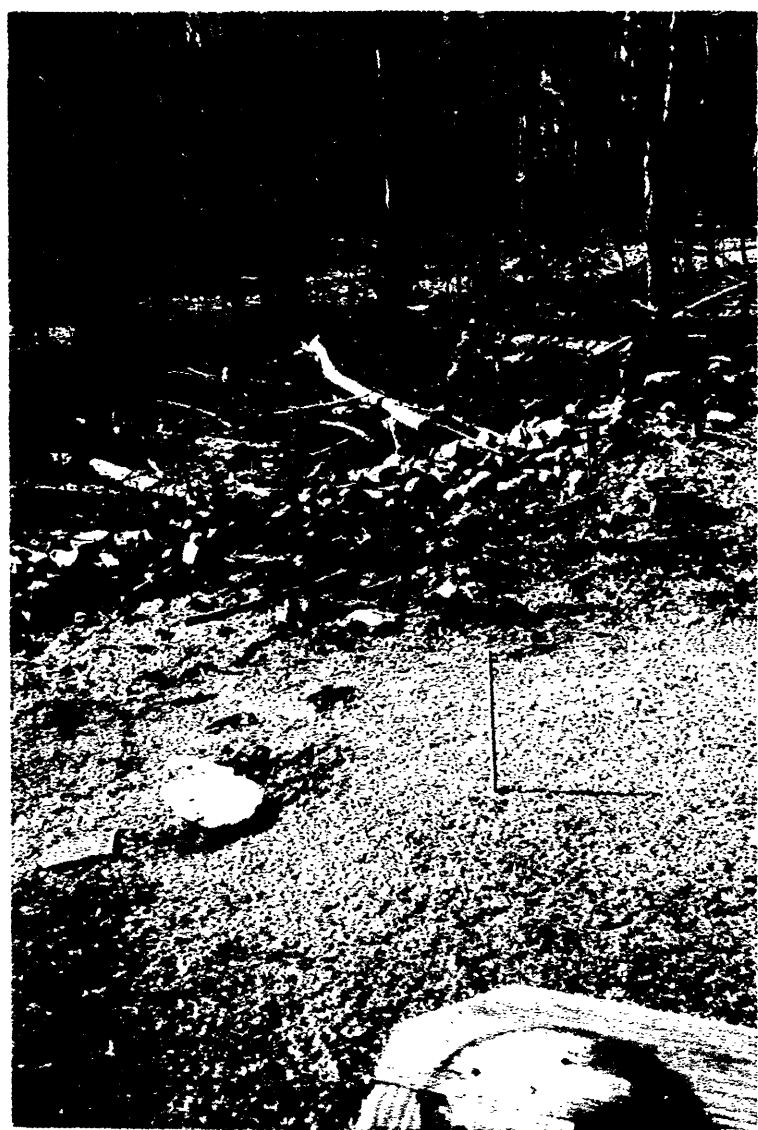
Public Hearing

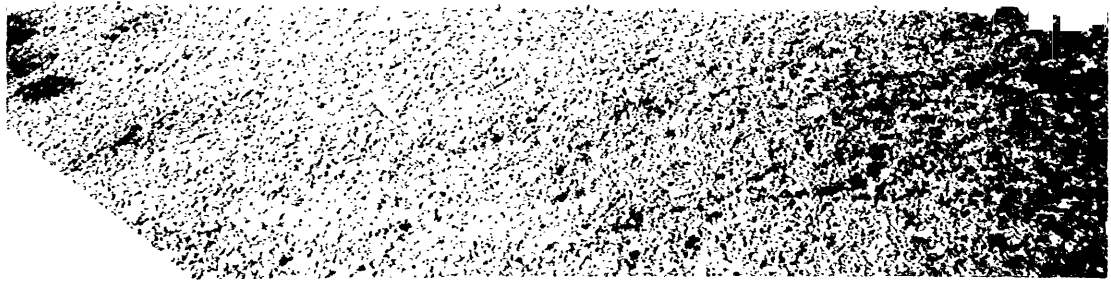
April 22, 2002

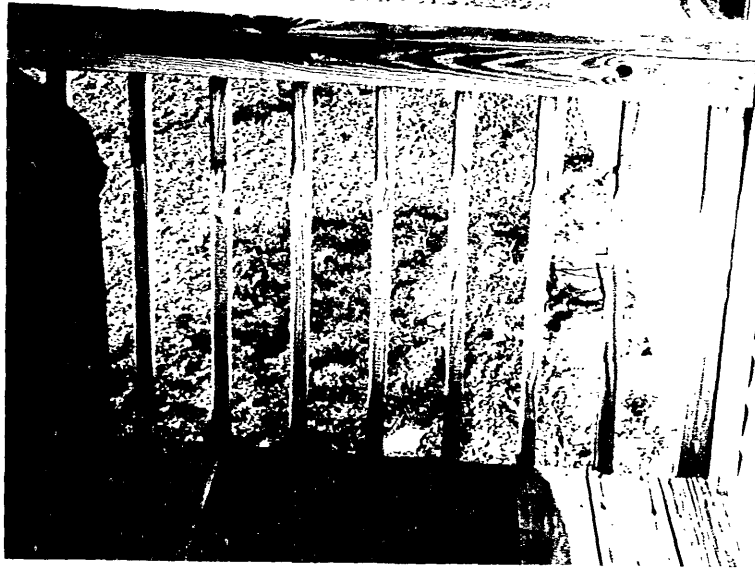
Refund: \$203.00

#02-21 Meyer, John

58-1-32







100-1-322

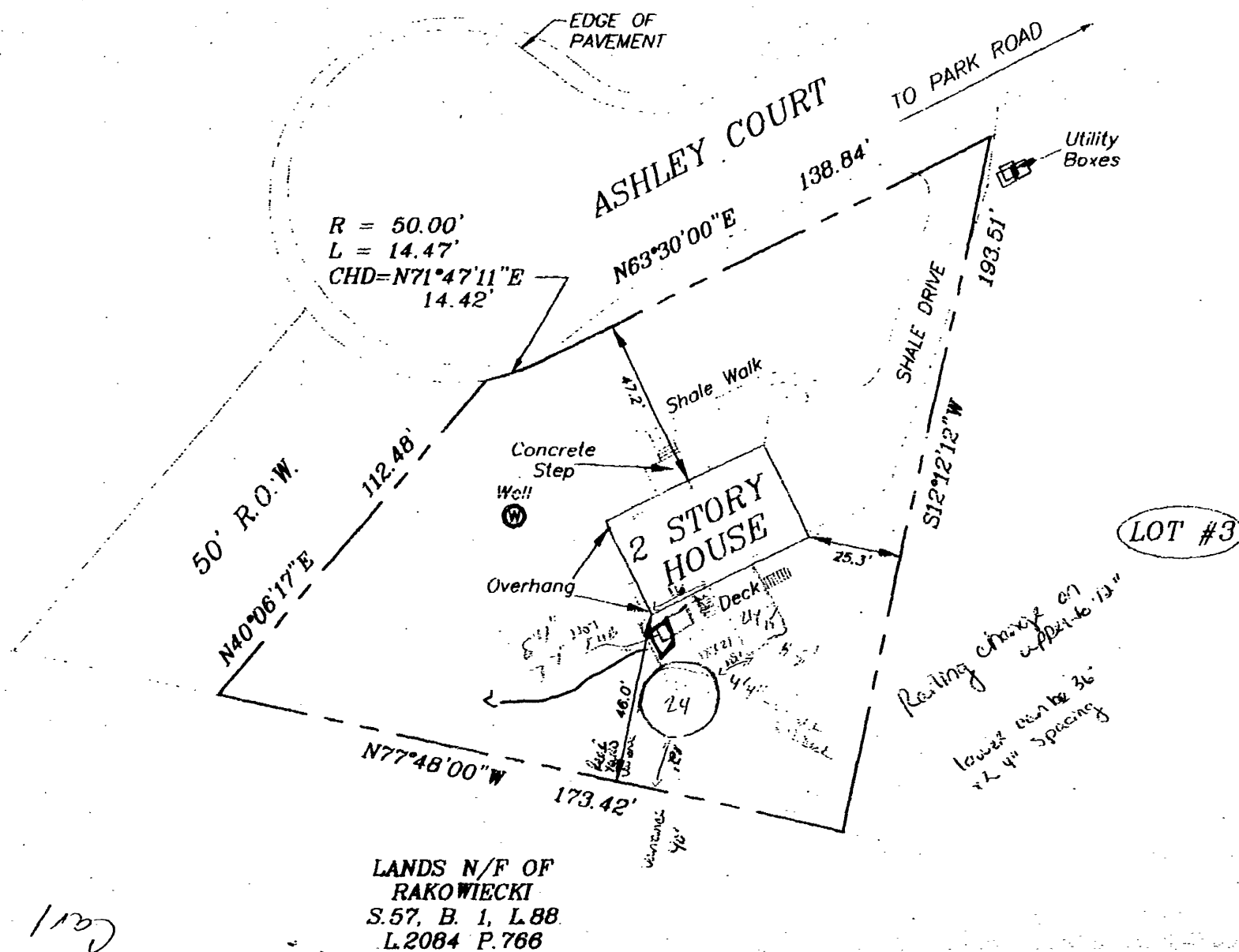
# SURVEY: LOT # 4 - GROVE HOMES, INC.

TOWN OF NEW WINDSOR, COUNTY OF ORANGE, STATE OF NEW YORK,  
SCALE: 1" = 40 FEET DATE: DECEMBER 11, 1992

TAX MAP DESIGNATION: SECT. 58, BLK. 1, LOT 32  
DEED REFERENCE: (PORTION OF) LIBER 2707 PAGE 340  
AREA: 20,157 sq. ft. or 0.46 ± ACRES

HOUSE STAKE-OUT JULY 31, 1995  
FOUNDATION LOCATION JUNE 18, 1999  
FINAL LOCATION DECEMBER 16, 1999

MAP REFERENCE: BEING LOT # 4 AS SHOWN ON A MAP ENTITLED  
"PLAT OF SECTIONS 1 & 2 OF SUBDIVISION FOR GROVE HOMES" PREPARED  
BY ZIMMERMAN ENGINEERING & SURVEYING P.C., AND FILED IN THE  
ORANGE COUNTY CLERKS OFFICE ON OCTOBER 1, 1992 AS MAP #204-92



DECEMBER 27, 1999

CERTIFY TO:

JOHN R. AND DENISE A. MEYER  
FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK  
BNY MORTGAGE COMPANY, L.L.C., ITS SUCCESSORS  
AND OR ASSIGNS, FOR THIS MORTGAGE ONLY

TO BE A TRUE SURVEY PERFORMED IN THE FIELD  
AND THAT IT IS TO THE BEST OF MY KNOWLEDGE  
AND BELIEF CORRECT



DANIEL P. YANOSH L.L.S.  
N.Y.S. LIC. # 49561

DRAWN BY: TM. JOB #: 87-07-04

**SURVEY NOTES:**

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS  
PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR  
LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF  
PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY  
TO THOSE NAMED INDIVIDUALS AND/OR INSTITUTIONS FOR WHOM THE  
SURVEY IS PREPARED. CERTIFICATIONS ARE NOT TRANSFERABLE TO  
ADDITIONAL INDIVIDUALS, INSTITUTIONS, THEIR SUCCESSORS AND/OR  
ASSIGNS OR SUBSEQUENT OWNERS.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A  
LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 2709,  
SUBDIVISION 2 OF THE N.Y. STATE EDUCATION LAW. ONLY COPIES FROM THE  
ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND  
SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED  
TO BE VALID TRUE COPIES.

SUBJECT TO AN UP TO DATE ABSTRACT OF TITLE,  
SUBJECT TO UNDISCOVERED EARTH AND EASEMENTS NOT RECORDED  
AND/OR NOT VISIBLE AT TIME OF FIELD SURVEY.

DANIEL P. YANOSH L.L.S.  
P.O. BOX 320 2194 ROUTE 302  
CIRCLEVILLE, NEW YORK 10919

PHONE : (914) 361 - 4700  
FAX : (914) 361 - 4722

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Meyer, Denise

FILE# 02-21

RESIDENTIAL: \$50.00  
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE     

APPLICATION FOR VARIANCE FEE ..... \$ 50.-

pd ck # 1150  
4/11/02

ESCROW DEPOSIT FOR CONSULTANT FEES ..... \$ 300.-

pd ck # 1151  
4/11/02

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 4/8/02... 2 \$ 9.00  
2ND PRELIMINARY- PER PAGE 4/22/02... 4 \$ 18.00  
3RD PRELIMINARY- PER PAGE ..... \$       
PUBLIC HEARING - PER PAGE ..... \$       
PUBLIC HEARING (CONT'D) PER PAGE ..... \$       
TOTAL ..... \$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 4/8/02 ..... \$ 35.00  
2ND PRELIM. 4/22/02 ..... \$ 35.00  
3RD PRELIM. .... \$       
PUBLIC HEARING. .... \$       
PUBLIC HEARING (CONT'D) ..... \$       
TOTAL ..... \$ 70.00

MISC. CHARGES:

..... \$       
TOTAL ..... \$ 97.00.

LESS ESCROW DEPOSIT ..... \$ 300.00  
(ADDL. CHARGES DUE) ..... \$       
REFUND DUE TO APPLICANT .. \$ 203.00



Date May 9, 2002, .....

# TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553**

TO John Meyer DR.  
7 Ashley Ct., Salisbury Mills, ny 12557

[illegible]

\$50.00

Windsor \$300.00

**WAY TO THE  
ORDER OF**

*Shale*

**DOLLAR**


**Security Systems  
Included**  
 Lockdown on theft

-----X  
In the Matter of the Application of

**JOHN MEYER**

MEMORANDUM  
OF DECISION  
GRANTING  
VARIANCE

#02-21.  
-----X

**WHEREAS, JOHN MEYER**, 7 Ashley Court, Salisbury Mills, New York 12577, has made application before the Zoning Board of Appeals for a 10 ft. rear yard variance to allow construction of a pool deck at the above location in an R-4 zone; and

**WHEREAS**, a public hearing was held on the 22nd day of April, 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared for this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property located in a neighborhood of residential properties.

(b) The property is peculiarly shaped and has access to a cul-de-sac.

- (b) The shed has been in existence for approximately 16 years.
- (c) During the shed's existence, there have been no complaints either formal or informal about the shed.
- (d) The shed is similar to other sheds in the neighborhood.
- (e) The shed was not constructed on top of any well or septic system, water or sewer easement.
- (f) The shed does not create any ponding or collection of water, or create any water hazards or affect the run off or path of water drainage.
- (g) The shed is located on the property next to a large tree. In order to relocate the shed, this tree would be lost.
- (h) The property is located such that it legally has two front yards, although it visually appears only to have one.
- (i) The fence for which the variance is sought has been in existence a number of years.
- (j) No complaints, either formal or informal have been received regarding the fence.
- (k) The fence is connected to another permissible fence.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations, but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The interests of justice will be served by allowing the granting of the requested area variances.

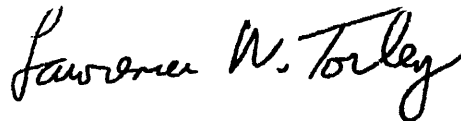
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 10 ft. side yard variance for an existing shed and a variation of Section 48-14C(1)(c) of the Supplemental Yard Regulation to allow 5 and 6 ft. fences to project closer to road than principle structure, at the above address, in an R-4 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: June 24, 2002.



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Chairman

MEYER, JOHN

Mr. John Meyer appeared before the board for this proposal.

MR. TORLEY: Request for 10 ft. rear yard variance for rear deck at 7 Ashley Court in an R-4 zone. Is there anyone in the audience who wishes to speak on this matter? Let the record show there is none. Sir?

MR. MEYER: I just need a ten foot variance. I have a deck attached to the house and I want to attach that to another deck, which is going to go halfway around the pool. I'm looking for a ten foot variance for the second deck because the way my land is, the back yard goes to a point and I'm at 30 feet instead of 40 feet which I'm required to get for a variance.

MR. KANE: Can we see your papers? Thanks. Because of the odd shape of the lot coming off the cul-de-sac, all right.

MR. MEYER: Yeah, right now, this is all woods back here and this is my neighbor's back yard.

MR. TORLEY: Mike, I see by this tax map looks like there's a paper road there?

MR. BABCOCK: That's correct.

MR. TORLEY: Are we going to have, is that now considered a side yard or front yard as well?

MR. BABCOCK: Yes, it is, but it doesn't affect this application in any way, it's behind the house.

MR. MEYER: You're talking about the, my neighbors, the right-of-way?

MR. BABCOCK: Possibly the road to continue.

MR. MEYER: Yeah, that's the builder's daughter has that.

MR. KANE: And you're bringing the deck down towards

the pool?

MR. MEYER: Yes, pool level.

MR. KANE: Putting the deck for safety reasons on the pool?

MR. MEYER: Yes.

MR. KANE: Going to be creating any water hazards or runoffs?

MR. MEYER: No, no and the upper deck we'll raise the railings. Right now, it's three feet.

MR. KANE: Self-closing, self-latching gate?

MR. MEYER: Yes, all around, probably even on the upper deck we'll probably put one here because I have a 6 month old so she'll be all over the place.

MR. TORLEY: Make sure the slats are close.

MR. MEYER: They are.

MR. KANE: You won't be cutting any trees down to put the deck up in the area?

MR. MEYER: No because it's right behind the house.

MR. TORLEY: As I'm looking at this map or plan, it looks like it might be a little bit off to the left side of the house, actually might be theoretically closer to that paper road. I'm trying to make sure you don't have to do this again.

MR. MEYER: I understand.

MR. BABCOCK: As long as he, let's say that that's 40 feet, as long as he maintains that 40 feet, that's his front yard.

MR. TORLEY: Okay, paper roads can come back and bite you.

MR. KANE: Deck is going to run flush with the pool?

MR. MEYER: Yes, the pool's in, the way my landing goes like this and the pool's already in and the right side of the pool's already like the ground's already higher.

MR. KANE: Just make sure in the area you can handle 4 to 7,000 pounds of weight.

MR. MEYER: Concrete slab.

MR. KANE: In the deck itself?

MR. MEYER: Yes. There's a hot tub going in the second deck.

MS. CORSETTI: Sounds like a nice idea.

MR. TORLEY: Now, these decks and pool will not interfere with the drainage of the property?

MR. MEYER: No.

MR. KANE: He has no problem with coverage, right?

MR. BABCOCK: No.

MR. TORLEY: At least in concept, this deck and pool is similar to other decks in the neighborhood?

MR. MEYER: People behind me have a similar deck.

MR. KANE: It's not going to go over any easements or sewage, septic lines, anything?

MR. MEYER: No, we have a well which is in the front and we have sewer and that's in the front, too.

MR. KANE: Accept a motion?

MR. TORLEY: Yes.

MS. CORSETTI: Before you do that, I just want to state for the record that there's 30 notices that went out to adjacent property owners.



MR. TORLEY: As my colleague pointed out, this variance will not relieve you from any other building code requirements for the deck. Make sure it meets everything else.

MR. MEYER: Yes.

MR. KANE: Accept a motion?

MR. TORLEY: Yes.

MR. KANE: I move we approve the requested variance by John Meyer for a ten foot rear yard variance for rear deck at 7 Ashley Court.

MR. REIS: Second it.

ROLL CALL

MR. MCDONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

Date 4/24/02

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO James Roth  
152 N. Dairy Lane  
New Windsor, N.Y. 12550 DR.

DATE			CLAIMED	ALLOWED
4/23/02		Zoning Board Mtg	75.00	
		Misc. 2		
		Westage - 2		
		Rondvan - 3		
		Gastri - 1		
		Smith - 2		
		Deyer - 3		
		Trapp - 3		
		Mittelman - 5		
		Meyer - 4 18.00		
		Trapp - 3	136.00	
		28	201.00	

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 3/20/02

APPLICANT: John & Denise Meyer  
7 Ashley Court  
Salisbury Mills, NY 12577

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 3/19/02

FOR : John & Denise Meyer

LOCATED AT: 7 Ashley Court

ZONE: R-4      Sec/ Blk/ Lot: **58-1-32**

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 48-12 Use/Bulk table R-4 zone, pool & pool deck will be attached to the existing house deck. Pool deck will be 30ft from the rear property line. A variance of 10ft is required.

  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4      USE: pool & deck

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:    40ft

30ft

10ft

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be corrected before continuing.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

MAR 19 2002

RECEIVED

FOR OFFICE USE ONLY:

Building Permit #: 2002-209

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

John & Denise Meyer

Address

7 Ashby Ct Solihy MA

Phone #

845-886-1568

Mailing Address

Same as above

Fax #

Name of Architect

Address

Phone

Name of Contractor

Bishop Woods

Address P.O. Box 111 Blowing Rock Phone 845-497-1938

State whether applicant is owner, lessee, agent, architect, engineer or builder owner

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of Ashe Court  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 58 Block 1 Lot 32

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? \_\_\_\_\_ Post Deck

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \$500 Fee \_\_\_\_\_

**PAID**

CH# 1134 \$50.00

\_\_\_\_\_  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances


Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Liel & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4685 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

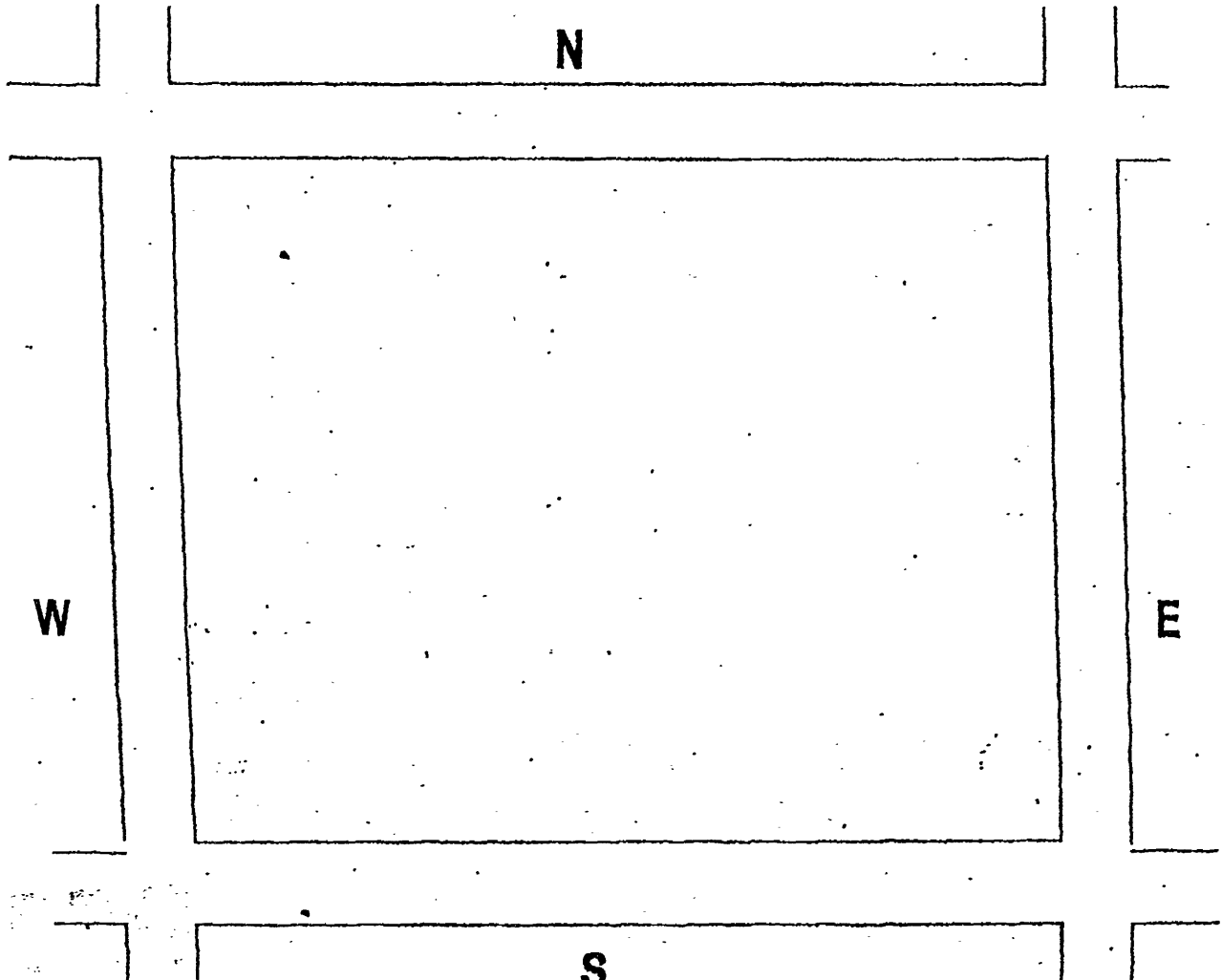
  
(Signature of Applicant)

  
(Address of Applicant)

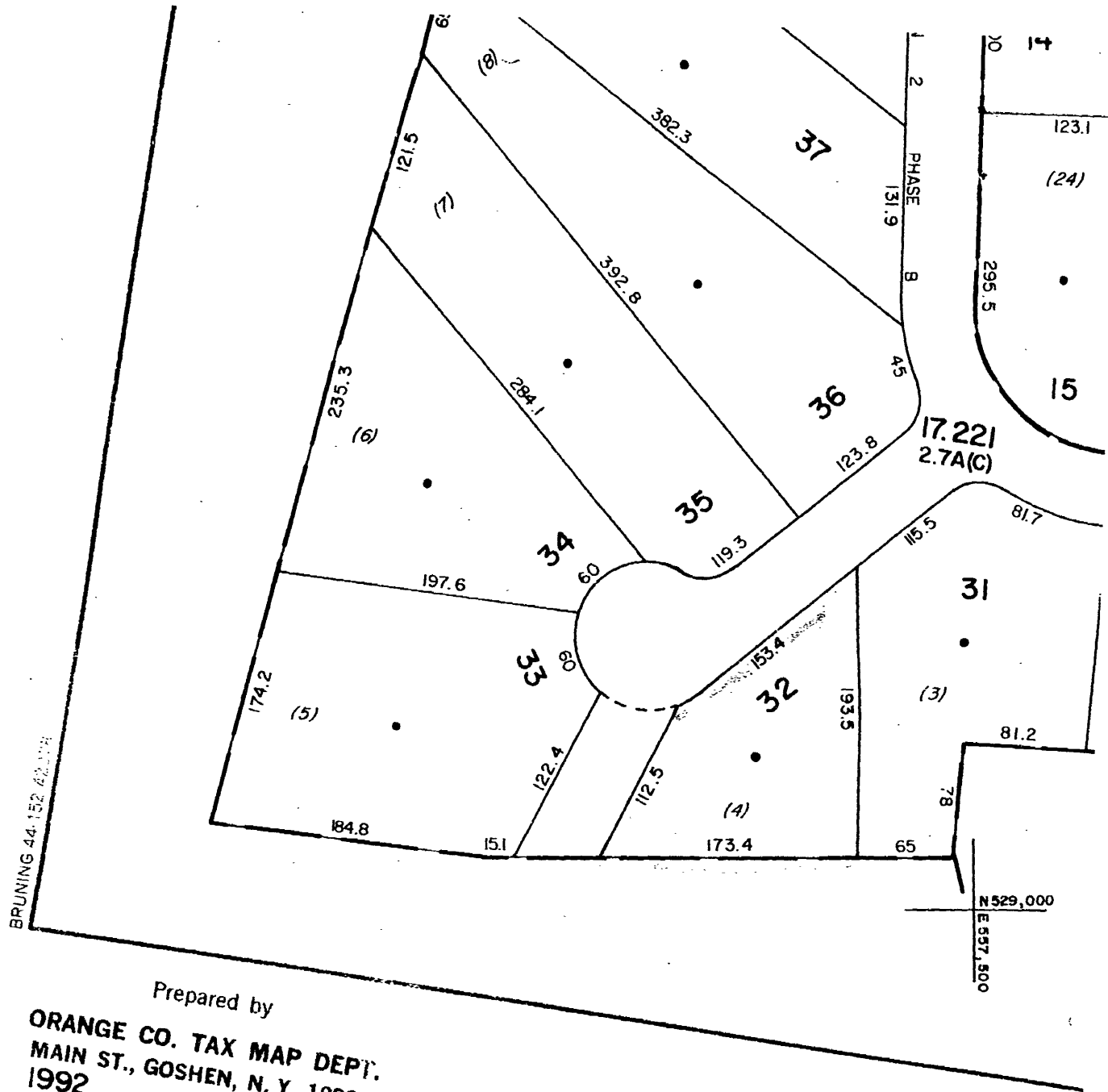
  
(Owner's Signature)

**PLOT PLAN**

**NOTE:** Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.







Prepared by  
**ORANGE CO. TAX MAP DEPT.**  
 MAIN ST., GOSHEN, N. Y. 10924  
 1992  
 FOR TAX PURPOSES ONLY

STATE OR CO.  
 CITY TOWN OR  
 BLOCK & SEC.



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (914) 563-4631  
Fax: (914) 563-4693

## Assessors Office

April 10, 2002

Denise Meyer  
7 Ashley Court  
Salisbury Mills, NY 12577

Re: 58-1-32

Dear Mrs. Meyer,

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook  
Sole Assessor

LC/ bw  
Attachments

CC: Pat Corsetti, ZBA



57-1-88.21 ✓  
Frances Rakowiecki  
106 Station Road  
Salisbury Mills, NY 12577

57-1-89.22  
Ilando Capolino  
C/o K Capolino Constr. Corp. ✓  
200 Hamilton Ave  
White Plains, NY 10601

58-1-18 ✓  
Carol Mitchell  
11 Park Road  
Salisbury Mills, NY 12577

58-1-29 ✓  
Clara & Philip Locascio  
13 Park Road  
Salisbury Mills, NY 12577

58-1-30 ✓  
Elizabeth & Kenneth Stuber  
15 Park Road  
Salisbury Mills, NY 12577

58-1-31 ✓  
Catherine & John Julian  
17 Park Road  
Salisbury Mills, NY 12577

58-1-33 ✓  
Lori Ann McManus  
14 Ashley Ct.  
Salisbury Mills, NY 12577

58-1-34 ✓  
Sheila & John Vallancourt  
10 Ashley Ct.  
Salisbury Mills, NY 12577

58-1-35 ✓  
Maureen & James Pawlak  
6 Ashley Ct.  
Salisbury Mills, NY 12577

58-1-36 ✓  
Deborah & James Quinn  
2 Ashley Ct.  
Salisbury Mills, NY 12577

58-1-37 ✓  
Lawrence Ross  
34 Mecca Drive  
Salisbury Mills, NY 12577

58-1-38 ✓  
Mary & William Cooke  
32 Mecca Drive  
Salisbury Mills, NY 12577

58-1-39 ✓  
Highview Estates of Orange County Inc.  
P.O. Box 457  
Washingtonville, NY 10992

58-7-13 ✓  
Myriam & Jordan Martinez  
29 Mecca Drive  
Salisbury Mills, NY 12577

58-7-14 ✓  
Leta Jagielski  
23 Dussenburg Drive  
Florida, NY 10921

58-7-15 ✓  
Dorothy & Michael Cooke  
22 Park Road  
Salisbury Mills, NY 12577

58-7-16 ✓  
Anna & Gregory Rodstrom  
20 Park Road  
Salisbury Mills, NY 12577

58-7-17 ✓  
Anamaria Bermo & Robert Allen  
18 Park Road  
Salisbury Mills, NY 12577

58-7-18 ✓  
Janet & Thomas Sheehy  
16 Park Road  
Salisbury Mills, NY 12577

58-7-19 ✓  
Karen & Richard Mastropietro  
14 Park Road  
Salisbury Mills, NY 12577

59-1-1.1 ✓  
Melisa Moccia & Salvatore Circelli  
30 Hillcrest Drive  
Salisbury Mills, NY 12577

59-1-1.2 ✓  
Elizabeth & Michael Mahoney  
32 Hillcrest Drive  
Salisbury Mills, NY 12577

59-1-1.3 ✓  
Mary & Steven Sergeti  
7 Forest Lane  
Salisbury Mills, NY 12577

59-1-1.4 ✓  
Ruth & William Youmans  
3 Forest Lane  
Salisbury Mills, NY 12577

59-1-2 ✓  
Andrea & Peter Lachance  
20 Ridgeview Road  
Salisbury Mills, NY 12577

59-1-3 ✓  
Gilda Ferraioli  
1 Forest Lane  
Salisbury Mills, NY 12577

59-1-4 ✓  
Emilio Rodriguez  
28 Hillcrest Drive  
Salisbury Mills, NY 12577

59-1-5 ✓  
Kathleen & Daniel Burke  
26 Hillcrest Drive  
Salisbury Mills, NY 12577

59-6-1.1 ✓  
Ralph E. Dragonetti Jr.  
6 Forest Lane  
Salisbury Lane, NY 12577

59-6-10 ✓  
Colleen & Raymond Washburn  
2 Forest Lane  
Salisbury Lane, NY 12577

Date ..... 7/22/02 .....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO ..... DR.

DATE	CLAIMED	ALLOWED
4/8/02	75.00	
Zoning Board Mtgs		
Misc.		
App - 2		
Hall - 4		
Meyer - 2		
Smith - 3		
Brown - 12		
Mt. Airy Estates - 6		
Dotter - 2	148.50	
33		
	223.50	

April 8, 2002

8

MEYER, JOHN

MR. TORLEY: Request for 10 ft. rear yard variance to construction pool and deck at 7 Ashley Court in an R-4 zone.

Mr. John Meyer appeared before the board for this proposal.

MR. MEYER: I want to put a pool and a pool deck up and the pool deck is going to be attached to the existing house deck and I think it's only 30 feet. I need the 40 feet variance, I'm looking for something for ten feet and if you want, I have a survey since my back yard is a little weird looking.

MR. TORLEY: Mike, if the deck was not attached to the pool, to the house, would he need any variances?

MR. BABCOCK: No.

MR. MEYER: Right, but we want to go one deck down to the next deck.

MR. BABCOCK: What he'd have to do, you actually have to go from your existing deck down on to the lawn and then back up from the lawn on to the pool deck, he wants to be able to walk out his back deck, go down to this deck and go into the pool.

MR. MEYER: Right, yes.

MR. TORLEY: Again, the kind of questions we'll be asking at the public hearing will be regarding water and drainage. Do other people in your neighborhood have similar kinds of decks? Why you want to do this, you're asking for us to vary the law so you can do something. So the I want to is not really a good enough reason. Is it a matter of safety, finances, et cetera? Photographs would be very helpful when you come back.

MR. REIS: I move that we set up Mr. John Meyer for his public hearing for his requested variance at 7 Ashley Court.

April 8, 2002

9

MR. RIVERA: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. TORLEY	AYE

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR  
COUNTY OF ORANGE:STATE OF NEW YORK

-----X

In the Matter of the Application for Variance of

John & Denise Meyer

#02-21.

AFFIDAVIT OF  
SERVICE  
BY MAIL

-----X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

\_\_\_\_\_, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside in New Windsor, Orange County, N. Y.

That on the 12 day of April, 2002, I compared the 30 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

R. Meyer

Sworn to before me this

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

Pls. Publish immediately. Sent Bill to: John + Denise Meyer  
7 Ashley Court  
Salisbury Mills, NY  
12577

**PUBLIC NOTICE OF HEARING  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 21

Request of John + Denise Meyer

for a VARIANCE of the Zoning Local Law to Permit:

Request for an additional 10ft Rear  
Yard Variance for Pool Deck

being a VARIANCE of Section 48-12 Use/Bulk Table R-4 zone

for property situated as follows:

7 Ashley Court Salisbury Mills, NY 12577

known and designated as tax map Section 58, Blk. 1 Lot 32

**PUBLIC HEARING** will take place on the 22 day of April,  
2002 at the New Windsor Town Hall, 555 Union Avenue, New Windsor,  
New York beginning at 7:30 o'clock P.M.

Lawrence Torley  
Chairman

By: Patricia Corsetti, Secretary



**Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#333-2002**

**04/11/2002**

**Meyer, John  
7 Ashley Court  
Salisbury Mills, NY 12577**

**Received \$ 50.00 for Zoning Board Fees on 04/11/2002. Thank you for  
stopping by the Town Clerk's office.**

**As always, it is our pleasure to serve you.**

**Deborah Green  
Town Clerk**

*Application Fee #02-21*

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE**

# \_\_\_\_\_  
Date: \_\_\_\_\_

**I. Applicant Information:**

- (a) Denise + John Meyer, 7 Ashley Court, Salisbury Mills, NY  
(Name, address and phone of Applicant) (Owner) 12517  
845-496-1568
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of contractor/engineer/architect/surveyor)

**II. Application type:**

- ☐ Use Variance ☐ Sign Variance  
☒ Area Variance ☐ Interpretation

**III. Property Information:**

- (a) R4 7 Ashley Court Salisbury Mills, NY 58-1-32  
(Zone) (Address of Property in Question) (S-B-L) (Lot size)
- (b) What other zones lie within 500 feet? None
- (c) Is pending sale or lease subject to ZBA approval of this Application? NO
- (d) When was property purchased by present owner? 1/2000
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO. If so, when? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? NO

**IV. Use Variance.** N/A

- (a) Use Variance requested from New Windsor Zoning Local Law,  
Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

(Describe proposal) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(b) The legal standard for a "Use" Variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

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#### V. Area Variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 28-1.3, Table of Use/Bulk, Regs., Col. E.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd.	<u>40 ft</u>	<u>30 ft</u>
Reqd. Street Frontage*		<u>10 ft</u>
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*		
Floor Area Ratio**		
Parking Area		

\* Residential Districts only

\*\* Non-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe

why you believe the ZBA should grant your application for an area variance:

**VI. Sign Variance:**

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	_____	_____
Sign #2	_____	_____	_____
Sign #3	_____	_____	_____
Sign #4	_____	_____	_____

- (b) Describe in detail the sign (s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and free-standing signs? \_\_\_\_\_.

**VII. Interpretation.**

- (a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_.

- (b) Describe in detail the proposal before the Board:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**VIII. Additional comments:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**IX. Attachments required:**

- ☒ Copy of referral from Bldg./Zoning Inspector or Planning Board.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ \_\_\_\_\_ and the second check in the amount of \$ \_\_\_\_\_, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

**X. Affidavit.**Date: 4/11/02

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Denise Meyer  
(Applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**XI. ZBA Action:**

(a) Public Hearing date: \_\_\_\_\_.

*James Casazza, Esq.*  
*Attorney & Counselor of Law*  
*19 South Street*  
*Washingtonville, New York 10992*



914-496-9166  
914-496-9005 (fax)

May 8, 2000

Mr. and Mrs. John Meyer  
7 Ashley Court  
Salisbury Mills, NY 12577

Re: Highview Estates to John R. and Denise A. Meyer

Dear Mr. and Mrs. Meyer:

Enclosed please find original Deed which was recorded in the Orange County Clerk's Office on February 7, 2000 in Liber 5238 of Deeds at Page 104.

You should keep this document with your other important papers.

If you have any questions, please contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "James Casazza".

James Casazza

JC:slv  
Enclosure

GR99-5036

THIS INDENTURE, made the 18<sup>th</sup> day of January, ~~nineteen hundred and~~ two thousand  
BETWEEN HIGHVIEW ESTATES OF ORANGE COUNTY, INC., a domestic  
corporation with an address at Box 286, Salisbury Mills,  
New York 12577

part of the first part, and JOHN R. MEYER and DENISE A. MEYER, husband and  
wife, both residing at 2 Stan Court, Old  
Bethpage, New York 11804

part of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100-----  
-----(\$10.00)----- dollars,

lawful money of the United States, and other good and valuable consideration paid  
by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or  
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,  
lying and being in the Town of New Windsor, County of Orange, State of  
New York, being Lot No. 4 as shown on a map entitled "Plat of  
Sections 1 & 2 of Subdivision for Grove Homes" filed in the Orange  
County Clerk's Office on October 1, 1992 as Map No. 204-92 and  
bounded and described as follows:

F.T.  
\$960.00

118  
BEGINNING at a point along the Southerly line of Ashley Court, said point being the Northerly most corner of the herein described parcel, said point also being the Northwesterly most corner of Lot No. 3 as shown on the above mentioned map; running thence

Along said Lot No. 3, South 12° 12' 12" West 193.51 feet; thence

Along lands now or formerly Rakowiecki, Liber 2084, Page 766, North 77° 48' 00" West 173.42 feet; thence

Along said Ashley Court the following three (3) courses and distances

1. North 40° 06' 17" East 112.48 feet;
2. On a curve to the left with a radius of 50.00 feet and an arc length of 14.47 feet, having a chord bearing and distance of North 71° 47' 11" East 14.42 feet;
3. North 63° 30' 00" East 138.84 feet to the point or place of BEGINNING.

BEING the same premises conveyed to the grantor herein from Park Road Construction Corp. by deed dated June 22, 1995 and recorded in the Orange County Clerk's Office on June 22, 1995 in Liber 4233, Page 242.



**TOGETHER** with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

This transaction is made in the regular course of business of the Grantor Corporation and does not constitute all the assets of the Corporation.

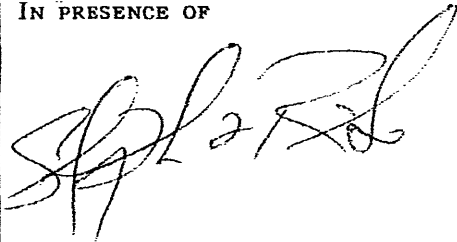
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

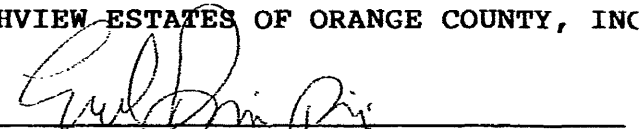
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF



HIGHVIEW ESTATES OF ORANGE COUNTY, INC

By:

  
Edward Biagini, President

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

# Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

6299-5056

HIGHVIEW ESTATES OF ORANGE  
COUNTY, INC.

TO

JOHN R. MEYER & DENISE A. MEYER

STANDARD FORM OF  
NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by

Lawyers Title Insurance Corporation

The land affected by the within  
instrument lies in:

SECTION

58

BLOCK

32

LOT

COUNTY OR TOWN

change

RECORDED AT THE REQUEST OF

Lawyers Title Insurance Corporation

RETURN BY MAIL TO

James Casazza, Esq

11 South St

Washingtonville, NY

10992

National Granite Title  
Insurance Agency, Inc.

155 North Main Street

New City, New York 10956

Reserve This Space For Use of Recording Office

LIBER 5238 PAGE 107

6299-5056

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE  
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



(PE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

HIGHVIEW ESTATES OF ORANGE COUNTY,  
INC.

TO

JOHN R. MEYER & DENISE A. MEYER

SECTION 58 BLOCK 1 LOT 32

RJR

RE

National Granite Title  
Insurance Agency, Inc. O:  
155 North Main Street  
New City, NY 10956

ERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

James Casazza, Esq.  
19 South Street  
Washingtonville, New York 10992

DO NOT WRITE BELOW THIS LINE

TRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

2089 BLOOMING GROVE (TN)	4289 MONTGOMERY (TN)
2001 WASHINGTONVILLE (VLG)	4201 MAYBROOK (VLG)
2289 CHESTER (TN)	4203 MONTGOMERY (VLG)
2201 CHESTER (VLG)	4205 WALDEN (VLG)
2489 CORNWALL (TN)	4489 MOUNT HOPE (TN)
2401 CORNWALL (VLG)	4401 OTISVILLE (VLG)
2600 CRAWFORD (TN)	4600 NEWBURGH (TN)
2800 DEERPARK (TN)	4800 NEW WINDSOR (TN)
3089 GOSHEN (TN)	5089 TUXEDO (TN)
3001 GOSHEN (VLG)	5001 TUXEDO PARK (VLG)
3003 FLORIDA (VLG)	5200 WALLKILL (TN)
3005 CHESTER (VLG)	5489 WARWICK (TN)
3200 GREENVILLE (TN)	5401 FLORIDA (VLG)
3489 HAMPTONBURGH (TN)	5403 GREENWOOD LAKE (VLG)
3401 MAYBROOK (VLG)	5405 WARWICK (VLG)
3689 HIGHLANDS (TN)	5600 WAWAYANDA (TN)
3601 HIGHLAND FALLS (VLG)	5889 WOODBURY (TN)
3889 MINISINK (TN)	5801 HARRIMAN (VLG)
3801 UNIONVILLE (VLG)	
4089 MONROE (TN)	
4001 MONROE (VLG)	
4003 HARRIMAN (VLG)	
4005 KIRYAS JOEL (VLG)	

CITIES

NO. PAGES 5 CROSS REF ☐  
CERT. COPY ☐ AFFT. ☐

PAYMENT TYPE: CHECK ☒  
CASH ☐  
CHARGE ☐  
NO FEE ☐

CONSIDERATION \$ 239,800.00  
TAX EXEMPT ☐

MORTGAGE AMT \$ ☐  
DATE ☐

MORTGAGE TYPE:  
☐ (A) COMMERCIAL  
☐ (B) 1 OR 2 FAMILY  
☐ (C) UNDER \$10,000.  
☐ (E) EXEMPT  
☐ (F) 3 TO 6 UNITS  
☐ (I) NAT.PERSON/CR.UNION  
☐ (J) NAT.PER-CR.UN/1 OR 2  
☐ (K) CONDO

*Donna L. Benson*  
DONNA L. BENSON  
Orange County Clerk

9999 HOLD

RECEIVED FROM:

*Walter P. Smith*  
LIBER 5238 PAGE 104

LIBER 5238 PAGE 104

ORANGE COUNTY CLERKS OFFICE 6855 SLL  
RECORDED/FILED 02/07/2000 12:48:51 PM  
FEES 50.00 EDUCATION FUND 5.00  
SERIAL NUMBER: 006191  
DEED CNTL NO 51746 RE TAX 960.00

STATE OF NEW YORK     )  
                                  SS.:  
COUNTY OF ORANGE    )

On the 18 day of JANUARY in the year 2000, before me, the undersigned, a notary public in and for said State, personally appeared EDWARD BIAGINI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

  
Notary Public

TIMOTHY M. WALKER  
NOTARY PUBLIC, State of New York  
No. 4985546  
Qualified in Dutchess County  
Commission Expires Feb. 9, 2001

*James Casazza, Esq.*  
*Attorney & Counselor of Law*  
*19 South Street*  
*Washingtonville, New York 10992*



845-496-9166  
845-496-9005 (Tax)

February 15, 2001

Mr. and Mrs. John Meyer  
7 Ashley Court  
Salisbury Mills, NY 12577

Re: Highview Estates to John R. and Denise A. Meyer

Dear Mr. and Mrs. Meyer:

Enclosed for your records is the original Owner's Policy of Title Insurance in regard to the above matter. You should keep this document with your other important papers.

If you have any questions, please contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "James Casazza".

James Casazza

JC:slv  
Enclosures





#6R99-5056

**Owner's Policy of Title Insurance****Fidelity National Title Insurance Company****of New York**  
A Stock CompanyPOLICY  
NUMBER **5312- 745179****OWNER'S POLICY OF TITLE INSURANCE**

*SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK, a New York corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:*

- 1. Title to the estate or interest described in Schedule A being vested other than as stated therein;*
- 2. Any defect in or lien or encumbrance on the title;*
- 3. Unmarketability of the title;*
- 4. Lack of a right of access to and from the land.*

*The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.*

*IN WITNESS WHEREOF, FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK has caused this policy to be signed and sealed by its duly authorized officers as of Date of Policy shown in Schedule A.*

FIDELITY NATIONAL TITLE INSURANCE COMPANY  
OF NEW YORK

Countersigned

*Lynn Deutsch*Authorized Signature  
(PLEASE PRINT NAME)

By:

*Robert L. St. E.*

President

Attest:

*Charles H. Wimer*

Secretary

**AMENDED 1/13/00:**

***NATIONAL GRANITE TITLE INSURANCE AGENCY, INC.***

**Title No.: GR99-5056**

**SCHEDULE A**

ALL that certain piece or parcel of land situate in the Town of New Windsor, County of Orange, State of New York, being Lot No. 4 as shown on a map entitled "Plat of Sections 1 & 2 of Subdivision for Grove Homes" filed in the Orange County Clerk's Office on October 1, 1992 as Map No. 204-92 and bounded and described as follows:

BEGINNING at a point along the Southerly line of Ashley Court, said point being the Northerly most corner of the herein described parcel, said point also being the Northwesterly most corner of Lot No. 3 as shown on the above mentioned map; running thence

Along said Lot No. 3, South  $12^{\circ}12'12''$  West 193.51 feet; thence

Along lands now or formerly Rakowiecki, Liber 2084, Page 766, North  $77^{\circ}48'00''$  West 173.42 feet; thence

Along said Ashley Court the following three (3) courses and distances:

1. North  $40^{\circ}06'17''$  East 112.48 feet;
2. On a curve to the left with a radius of 50.00 feet and an arc length of 14.47 feet, having a chord bearing and distance of North  $71^{\circ}47'11''$  East 14.42 feet;
3. North  $63^{\circ}30'00''$  East 138.84 feet to the point or place of BEGINNING.

Together with an easement for ingress and egress over the streets shown on said map to the nearest public highway; but reserving the right to dedicate the same to the proper governmental authority.

**FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK**

**SCHEDULE A - OWNER'S POLICY**

**Policy No.:** 5312-745179  
**Title No.:** GR99-5056


**Amount of Insurance:** \$239,900.00

**Date of Policy:** January 18, 2000

1. **Name of Insured:** JOHN R. MEYER and DENISE A. MEYER, husband and wife
2. **The estate or interest in the land which is covered by this policy is:** a fee simple
3. **Title to the estate or interest in the land is vested in:** the INSURED, by deed dated 1/18/00 recorded 2/7/00 in Liber 5238 Page 104.
4. **The land referred to in this policy is described as follows:** see description annexed hereto.

**FIDELITY NATIONAL TITLE INSURANCE  
COMPANY OF NEW YORK**

**By:**



**National Granite Title Insurance Agency, Inc., its  
authorized agent**

# **FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK**

## **SCHEDULE B - OWNER'S POLICY**

**Policy No.:** 5312-745179

**Title No.:** GR99-5056

### **EXCEPTIONS FROM COVERAGE**

**This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:**

1. Rights or claims of parties in possession.
2. Survey made by Daniel P. Yanosh, LLS, dated 12/27/99 shows 2 story house with deck on rear, shale drive appears to encroach onto premises adjoining on the east and shale walk in front.
3. Grant to Central Hudson Gas and Electric Corporation and Highland Telephone Company in Liber 1644, Page 593; Liber 2938, Page 308; Liber 3101, Page 138; and Liber 3634, Page 226.
4. Subject to notes on filed map 204/92.
5. A mortgage made by the INSURED to BNY MORTGAGE COMPANY LLC to secure the sum of \$191,900.00, plus interest, dated 1/18/00 recorded 2/7/00 in Liber 7643 Page 170.

## TIRSA ENDORSEMENT

Attached to Policy No. 5312-745179



Issued By

**FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK**

(Owner's Policy)

1. The following is added to the insuring provisions on the face page of this policy:

"5. Any statutory lien for services, labor or materials furnished prior to the date hereof, and which has now gained or which may hereafter gain priority over the estate or interest of the Insured as shown in Schedule A of this policy."

2. The following is added to Paragraph 7 of the Conditions and Stipulations of this policy:

"(d) If the recording date of the instruments creating the insured interest is later than the policy date, such policy shall also cover intervening liens or encumbrances, except real estate taxes, assessments, water charges and sewer rents."

Nothing herein contained shall be construed as extending or changing the effective date of the policy unless otherwise expressly stated.

This endorsement, when countersigned below by a validating signatory, is made a part of said policy and is subject to the Exclusions from Coverage, Schedules, Conditions and Stipulations therein, except as modified by the provisions hereof.

IN WITNESS WHEREOF, the Company has caused its corporate name and seal to be hereunto affixed by its duly authorized signatory and countersigned on the date hereinafter set forth.

Dated: 1/18/00

**Fidelity National Title Insurance Company  
of New York**



BY

*Robert K. St. E.*

President

ATTEST

*Charles H. Wimer*

Secretary